

poses may be taxed on a basis equivalent to their full rental value, and also advocating that certain properties may be exempted from taxation by vote of the people.

By Senator Warren:

Petition signed numerously protesting against passage of legislation assessing high licenses against rural salesmen of medicine, stock foods, etc.

FORTY-SIXTH DAY.

Senate Chamber,
Austin, Texas,
Saturday, March 15, 1913.

The Senate met pursuant to adjournment and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	Morrow.
Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Cowell.	Terrell.
Darwin.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Wiley.
McNealus.	

Absent.

Brelsford.	Real.
Conner.	Taylor.
Gibson.	Warren.
Greer.	Westbrook.
McGregor.	Willacy.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Weinert.

(See Appendix for petitions and memorials and standing committee reports.)

BILLS AND RESOLUTOINS.

By Senator Johnson:

Senate bill No. 457, A bill to be entitled "An Act to reorganize the Forty-sixth Judicial District and the Forty-seventh Judicial District and the Fiftieth Judicial District of the State of Texas, and creating the Seventy-sixth Judicial District in the State of Texas; to fix the time for holding the court of each of

said districts; to provide for the appointment of a district judge of the Seventy-sixth Judicial District, and a district attorney for the Forty-sixth Judicial District, and to make all process heretofore issued as well as all bonds and recognizances heretofore entered into to conform thereto; to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senators Weinert, Carter, Murray, Paulus and Morrow:

Senate bill No. 458, A bill to be entitled "An Act providing for the formation and incorporation of rural credit unions or co-operative associations for the purpose of promoting thrift among their members, and to enable the members thereof, when in need, to obtain for productive purposes moderate loans of money for short periods and at reasonable rates of interest."

Read first time and referred to Committee on Insurance, Statistics and History.

By Senator Weinert:

Senate bill No. 459, A bill to be entitled "An Act to amend an act to create a more efficient road system for Gonzales county, Texas, and making the county commissioners ex-officio road commissioners, fixing their salaries and prescribing their duties and declaring an emergency, passed by the Regular Session of the Thirty-third Legislature and approved by the Governor March 5, A. D. 1913."

Read first time and referred to Committee on Roads, Bridges and Ferries.

(By Unanimous Consent.)

By Senator Watson:

Senate bill No. 460, A bill to be entitled "An Act to create a more efficient road system for Bastrop county, and declaring an emergency."

Read first time and referred to Committee on Roads, Bridges and Ferries.

By Senator Wiley:

Senate bill No. 461, A bill to be entitled "An Act authorizing and directing the Superintendent of Public Buildings and Grounds, with the approval of the Governor, to sell and convey certain tracts or parcels of land belonging to the State of Texas situated in the city of Austin, prescribing the manner and conditions of making sales thereof, and

exempting from the provisions of said act and withholding from sale that tract of land belonging to the State of Texas, situated in the city of Austin and known as the Temporary Capitol Grounds, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

SIMPLE RESOLUTION.

By Senator Morrow:

Whereas, Proposals to amend the Constitution can only be submitted by the action of the Regular Session of the Legislature, and

Whereas, There are many resolutions pending seeking to submit to the people proposed amendment to the Constitution, and,

Whereas, The calendar of the Senate is so crowded that it is unlikely that said resolutions will be reached and disposed of unless action is taken by the Senate giving them precedence, and

Whereas, It is due to the Legislature that the proposed constitutional amendments be passed on before adjournment, therefore be it

Resolved, That all resolutions proposing constitutional amendments be given precedence of other business after the morning call on Tuesday, March 18, and that they be called in their order until disposed of.

The resolution was read and adopted. Morning call concluded.

SENATE BILL NO. 18.

Senator Cowell called up Senate bill No. 18, which had been recalled from and returned by the Governor for further action.

Senator Cowell moved to rescind the vote by which the vote to reconsider the vote by which Senate bill No. 18 was finally passed was reconsidered and tabled.

The motion to rescind prevailed.

Senator Cowell moved to rescind the vote by which Senate bill No. 18 was finally passed.

The motion to rescind prevailed.

Senator Cowell moved to rescind the vote by which Senate bill No. 18 was ordered engrossed.

The motion prevailed.

The Chair laid before the Senate, on second reading,

Senate bill No. 18, A bill to be entitled "An Act to create a special district court

for Grayson county, to prescribe its jurisdiction, to limit its existence, to fix its terms, to conform all writs and process from said court and the other changes as are made in the jurisdiction of any of said courts by this bill, to empower the judge of said special district court and the judges of the Fifteenth and Fifty-ninth Judicial Districts in Grayson county to transfer cases from their respective court to the other of said courts, to provide for the appointment of a judge for said special district court, to fix his salary and term of office, and declaring an emergency."

Senator Cowell offered the following amendments, which were read and adopted:

Amend Section 6 of Senate bill No. 18 by striking out all after the word "hold" in line 6 of said section, and insert the following: "his office until the first day of December, 1914. The compensation of the judge of the special district court of Grayson county shall be the same as paid to the judges of other district courts."

Amend Section 9 of Senate bill No. 18, in line 3, by striking out the words "31st day of December, 1917," and insert in lieu thereof the words "December 1, 1914."

The bill was read second time and was passed to engrossment.

SIMPLE RESOLUTION.

(By Unanimous Consent.)

By Senator Townsend:

I move that Senate bill No. 357, which seeks to fix a uniform standard of weights and measures, be set for special order March 20, 1913, after the morning call.

The resolution was read and adopted.

SENATE CONCURRENT RESOLUTION NO. 10.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate Concurrent Resolution No. 10, Resolution making retroactive the indeterminate sentence law and creating a committee to visit the penitentiary, to investigate as to what convicts may take advantage of such law; and appropriating \$3,000 to carry resolution into effect.

The resolution was read third time and was adopted.

HOUSE BILL NO. 319.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

House bill No. 319, A bill to be entitled "An Act to authorize the Houston and Texas Central Railroad Company to purchase, own and operate the railroad of the Hearne and Brazos Valley Railroad Company, with the franchises and other property thereunto appertaining, and to authorize the Houston and Texas Central Railroad Company to issue additional mortgage bonds to the amount of the value of the railroad franchises and appurtenances so purchased as fixed, or as the same may be fixed, by the Railroad Commission of Texas, and to regulate the reports of the operations of such properties."

The committee report, with amendments, was adopted.

Senator Astin offered the following amendments, separately, which were read and adopted:

(1)

Amend the committee report, page 5, line 32, by striking out the figures "27," and insert in lieu thereof the figures "32."

(2)

Amend the committee report, on page 6, line 27, by inserting after the word "in" and before the word "judgment" the word "the."

The bill was read second time and passed to a third reading.

EXCUSED.

On account of important business:

Senator Taylor, for today, on motion of Senator Collins.

Senator Conner, for today, on motion of Senator Cowell.

Senator Gibson, for today, on motion of Senator Bailey.

Senator Real, for today, on motion of Senator Lattimore.

Senator Brelsford, for today, on motion of Senator Kauffman.

Senator Westbrook, for today, on motion of Senator Bailey.

Senator Warren, for today, on motion of Senator McNealus.

On account of sickness:

Senator Greer, indefinitely, on motion of Senator McNealus.

SENATE JOINT RESOLUTION NO. 22.

(By Unanimous Consent.)

The Chair laid before the Senate,

Senate Joint Resolution No. 22, To amend Section 7 of Article 2 of the Constitution of the State of Texas, authorizing counties bordering on the Gulf of Mexico to build seawalls, by adding Section 7a, so as to authorize such counties to build seawalls and designate seawall reclamation districts for the protection of life and property from storm overflow, and to build or condemn land for seawall and reclamation districts, the county to have State's title to the roads and bay shore line to low tide within the district bounds for acquiring and developing the district and building the seawall, and when the district is developed as townsite to sell such portions of the land as not reserved for public use by the county."

The resolution was read second time and ordered engrossed.

SENATE BILL NO. 130.

(By Unanimous Consent.)

The Chair laid before the Senate, on third reading,

Senate bill No. 130, A bill to be entitled "An Act requiring individuals, co-partnerships, partnerships, associations and corporations engaged in the business of a retail liquor dealer, retail malt dealer, and wholesale dealer, and wholesale distributor of spirituous and malt liquors as defined by the laws of the State, to file an annual report with the State Comptroller showing an ownership of property and contributions for political purposes, providing a penalty for failure to make the report required by act; prohibiting retailer from acting as agent and from purchasing for sale and reselling after notice, of any business herein named after failure to make such report; directing the Comptroller to call the attention of the Attorney General to any violation of this act, and making it the duty of the Attorney General to immediately take steps to secure the report and to enforce the law; and requiring a copy of each of these reports so made by the Comptroller to be filed with the Governor; and empowering him

to employ special counsel to enforce the law in such cases and declaring an emergency."

Senator Weinert offered the following amendment:

Amend the bill, both caption and body, so as to strike out amendments giving venue to Travis county.

The amendment was read and adopted by the following vote:

Yeas—21.

Astin.	Morrow.
Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Cowell.	Terrell.
Darwin.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Wiley.
McNealus.	

Absent.

McGregor. Willacy.

Absent—Excused.

Brelsford.	Real.
Conner.	Taylor.
Gibson.	Warren.
Greer.	Westbrook.

The bill was read third time and was passed by the following vote:

Yeas—13.

Carter.	Morrow.
Collins.	Nugent.
Cowell.	Terrell.
Darwin.	Townsend.
Johnson.	Vaughan.
Lattimore.	Wiley.
McNealus.	

Nays—8.

Astin.	Murray.
Bailey.	Paulus.
Hudspeth.	Watson.
Kauffman.	Weinert.

Absent.

Willacy.

Absent—Excused.

Brelsford.	Real.
Conner.	Taylor.
Gibson.	Warren.
Greer.	Westbrook.
McGregor.	

Senator Vaughan moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

HOUSE BILL NO. 47.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading.

House bill No. 47, A bill to be entitled "An Act to provide for the printing, binding, publication and sale of the reports of the decisions of the Supreme Court, Court of Criminal Appeals and Courts of Civil Appeals of the State of Texas."

The bill was read second time and was passed to a third reading.

FIRST HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

Senate bill No. 353, A bill to be entitled "An Act to fix the time for holding the terms of the district courts in the Forty-seventh Judicial District, and to repeal all laws in conflict herewith, and declaring an emergency."

Senate bill No. 386, A bill to be entitled "An Act to create a more efficient road system for Howard county, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for the compensation as such road commissioners; and providing the manner of working of road hands in the matter of the performance of the road work by the payment of the sum of \$3.00; and providing further, making this law cumulative of the general laws, and in case of conflict this act to govern as to Howard county, Texas, and fixing a penalty for the violation of this act, and repealing all laws in conflict with this act, and declaring an emergency."

Senate bill No. 399, A bill to be entitled "An Act to repeal Chapter 9, Section 7, of an act entitled 'An Act to amend Section 7, Chapter 55, page 909, Special Laws of the Regular Session of the Thirtieth Legislature of the State of Texas, approved April 4, 1907,' and place the Lubbock Independent School District under the general laws relating to incorporated school districts, with all the powers given under such general laws, and repealing all laws in conflict herewith, and declaring an emergency."

Senate bill No. 408, A bill to be entitled

"An Act to create a board of regents for the John Tarleton College of Stephenville, Erath county, Texas; to provide for the appointment of said board; to define its duties and powers; to divest the control and management, legal title and ownership of said institution out of the Governor of the State of Texas, the Superintendent of Public Instruction of the State of Texas and the county judge of Erath county, Texas, to vest said control in said board, and declaring an emergency."

Senate bill No. 45, A bill to be entitled "An Act more clearly defining some of the duties of the Attorney General, district and county attorneys of this State, and imposing other and additional duties upon such officers, and prohibiting the Attorney General from giving counsel and advice except to certain public officers named, and declaring an emergency."

House bill No. 695, A bill to be entitled "An Act to authorize and empower Navarro county, or any political subdivision or defined district, now or hereafter to be described and defined, of said county, by a vote of a two-thirds majority of the resident property taxpayers, qualified voters of such county or political subdivision thereof, or defined district, now or hereafter to be described and defined, voting thereon to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county, or of such political subdivision or defined district, and to levy and collect taxes, to pay the interest on such bonds, and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, or in aid thereof, and prescribing ways and means of conducting and supervising said work, and providing a penalty for the violation of the provisions hereof, and declaring an emergency," with engrossed rider.

House bill No. 689, A bill to be entitled "An Act to create a more efficient road system for Cameron county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation as road commissioners, and defining the powers and duties of such county commissioners, and providing for the appointment of road overseers and defining their duties, and for the working of county convicts on the public roads of said county, and providing for officers'

fees, and rewards and penalties for said convicts and rewards for the capture of escaped convicts, and to repeal all laws in conflict herewith, and declaring an emergency."

House bill No. 572, A bill to be entitled "An Act to re-define the boundaries of Strawn Independent School District, to validate the incorporation thereof, and declaring an emergency."

House bill No. 800, A bill to be entitled "An Act to create a more efficient road law for Jackson county; fixing the per diem of the members of the commissioners court when acting as road commissioners; prescribing an allowance for team hire for members of said court; providing a road tax; fixing the fees of county clerk and justices of the peace in convict cases, and declaring an emergency."

House bill No. 731, A bill to be entitled "An Act to amend Section 19, of Chapter 1, Special Laws of Texas, as passed by the Twenty-ninth Legislature, as amended by an act of the Thirty-first Legislature, approved March 16, 1909, and being an act to create a more efficient road system for Archer county, Texas, and declaring an emergency."

House bill No. 766, A bill to be entitled "An Act to incorporate the McGregor Independent School District in McLennan county for free school purposes only; describing its boundaries; divesting the city of McGregor of the control of its public schools and title to school property, and vesting the same in the said McGregor Independent School District and its board of school trustees; providing for a board of school trustees for the control and management of the said independent school district; prescribing the rights, powers, privileges and duties of the said McGregor Independent School District and its board of school trustees; providing for a treasurer of school funds of the district, and declaring an emergency."

House bill No. 346, A bill to be entitled "An Act to amend Article 5217, Title 75, Chapter 12, of the 1911 Revised Civil Statutes of Texas, providing that nine jurors may render a verdict in the district courts, and five jurors may render a verdict in the county and justice courts," with engrossed rider.

Senate bill No. 393, A bill to be entitled "An Act to create a more efficient road system for Hill county, Texas, and declaring an emergency," with amendments.

Senate bill No. 376, A bill to be entitled "An Act amending Section 3 of the

Special Road Law of Montgomery county, the same being an act of the Twenty-seventh Legislature, Acts of 1901, page 76, by adding thereto Section 3a; providing a penalty against county convicts who escape while being worked on public roads of said county under the provisions of Section 3 of said act; and also amending Section 18 of said act providing certain compensation for county commissioners of said county while serving as road supervisors in addition to the compensation now provided for in said act; repealing all laws in conflict with Sections 3 and 18 of said act, and declaring an emergency."

House bill No. 749, A bill to be entitled "An Act to create a more efficient road system for Van Zandt county, in the State of Texas, and making county commissioners ex-officio road commissioners, and prescribing their powers and duties as such, and providing for their compensation as such road commissioners; and providing for the condemning of material for the construction and maintenance of public roads, and to provide for the compensation for the material used; and providing for the working of county convicts on the public road and the purchase of supplies for such convicts, and rewards for the capture of escaped convicts, and for the commutation of sentence for faithful service and good behavior; and defining the powers and duties of road commissioners, and to provide for the summoning of hands and teams for road work and for the allowance of time for services of hands and teams on public roads, and fixing a penalty for violation of same, and relieving them from the payment of such work by the payment of three dollars; and providing further, making this act cumulative of the General Laws now in force; and to repeal all laws in conflict with this act, and declaring an emergency."

House bill No. 566, A bill to be entitled "An Act to amend Section 11 of an act entitled 'An Act to create a more efficient road system for Hunt county, in the State of Texas, and making county commissioners ex-officio road commissioners, passed by the Twenty-eighth Legislature; increasing salary of commissioners, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

House bill No. 627, A bill to be entitled "An Act to permit the people of Leon county to levy a tax in any political subdivision or defined district for the purpose of building or improving their

roads, instead of issuing bonds for such purposes, if the people of such political subdivision or defined district so desire; and permitting the political subdivisions or defined districts which have already issued bonds and built their roads to levy a sufficient tax to maintain their roads."

House bill No. 771, A bill to be entitled "An Act to amend Section 9, Chapter 72, Laws of 1901, entitled 'An Act to create a more efficient road system for Karnes county, Texas, and this act to govern as to Karnes county, Texas, and declaring an emergency."

House bill No. 778, A bill to be entitled "An Act to repeal Chapter 9, Section 7, of an act entitled 'An Act to amend Section 7, Chapter 55, page 509, Special Laws of the Regular Session of the Thirtieth Legislature of the State of Texas, approved April 4, 1907, etc., and place Lubbock Independent School District under the General Laws relating to incorporated school districts, with all the powers given under such laws, and repealing all laws in conflict herewith."

House bill No. 806, A bill to be entitled "An Act incorporating the Decatur Independent School District in Wise county, Texas, for free school purposes only, defining its boundaries, providing for a board of trustees, providing for a treasurer for the funds of said district, and providing for an assessor and collector of taxes of said district; divesting the city of Decatur of the control of its public schools and the title to school property and vesting the same in said Decatur Independent School District and its board of trustees, and prescribing the rights, powers, privileges and duties of said Decatur Independent School District and its board of trustees and officers, and declaring an emergency."

Senate bill No. 298, A bill to be entitled "An Act authorizing cities situated along or upon navigable streams, and acting under special charters, to extend by ordinance their boundaries so as to include in said cities the navigable stream and the land lying on both sides thereof for a distance of twenty-five hundred feet from the thread of the stream to a distance of twenty miles or less in an air line from the ordinary boundaries of said city either above or below the boundaries of said city or both; and granting to said cities within said added territory the right to purchase or condemn property for navigation or wharfage or for aids or facilities to either; and granting to said city within said territory full power of regulation and control over

navigation and wharfage, and over all facilities and aids to either; and full power to pass and enforce ordinances for the police of navigation and wharfage, and of all aids and facilities to either, and declaring an emergency."

Senate bill No. 256, A bill to be entitled "An Act permitting the formation and incorporation of mutual fire, lightning, hail and storm insurance companies, for either or all of such purposes and providing for their regulation, government and control, and declaring an emergency."

Senate bill No. 4, A bill to be entitled "An Act to prevent the pollution of the water courses or other public bodies of water of the State of Texas, and providing a penalty therefor, and providing means for the abatement thereof," with amendments.

House bill No. 590, A bill to be entitled "An Act to amend Chapter 18 of the Special Laws of the State of Texas, passed at the Regular and First Called Sessions of the Twenty-ninth Legislature, and amended by the act of the Thirty-second Legislature, entitled, 'An Act creating a more efficient road law for Comanche county; providing that the county commissioners shall be ex-officio road commissioners in their respective precincts; defining their duties and regulating their compensation, and providing that road overseers and hands shall work under the direction of road commissioners, and providing penalties for failure to do so; providing for working county convicts on the public roads; providing for working delinquent taxpayers on public roads; and declaring an emergency,' by amending Section 11, of said act, and declaring an emergency," with engrossed rider.

House bill No. 647, A bill to be entitled "An Act to establish a separate system of public roads and bridges for Tarrant county, and declaring an emergency."

House bill No. 794, A bill to be entitled "An Act creating the Lockhart Independent School District in Caldwell county, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; divesting the city of Lockhart of the control of its public free schools and the title of all property now held and used for public free school purposes, investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only, under the General Laws to provide for assessment and collection of taxes grant-

ing power to issue coupon bonds and providing sinking fund, and declaring an emergency," with engrossed rider.

House bill No. 654, A bill to be entitled "An Act to amend Sections 2 and 6 of Chapter 36 of the Local and Special Laws of the Regular Session of the Thirty-first Legislature of the State of Texas, entitled 'An Act to validate the Wichita Falls Independent School District, in Wichita county, Texas, incorporated at an election held on the first day of August, 1908, and to validate the official acts of its trustees, and to extend its boundaries and to declare the said Wichita Falls Independent School District as herein defined, a body corporate, to provide for the election of trustees of said district and define their powers and duties and to authorize them to appoint other officers for said district, and define their duties and to provide for the levy and collection of taxes in said district for the support of the public free schools therein and for the issuance of bonds for the erection and equipment of school buildings therein, and to vest the title to all public free school property in said district in said trustees for the benefit of the public free schools, and for the collection of all unpaid school taxes on property in said districts, and for the payment by the said district of all outstanding debts and obligations chargeable against it, and to authorize the sale of school property unsuitable for school purposes and reinvestment of the proceeds and to authorize the said trustees to have exclusive management, control and direction of the public free schools in said district, and declaring an emergency'; so as to increase the territory included in said Wichita Falls Independent School District and make certain changes in the boundary thereof, and to provide that four of the seven trustees of said district elected in the month of April, 1913, shall hold their offices for two years thereafter, and shall be elected every alternate year thereafter and that three of said members of said board of trustees elected in the month of April, 1913, shall hold their office for one year and that their successors elected in the month of April, 1914, and thereafter every alternate year."

House bill No. 662, A bill to be entitled "An Act to create a road commission for Knox county by making the members of the commissioners court ex-officio members of said commission, and defining duties, powers, salaries and qualifications of the same; and pro-

viding that said salaries shall be paid out of certain funds, and fixing a penalty for failure of any of said road commissioners to comply with any of the provisions of this act; and defining the duties, powers, salary and qualifications of all overseers of said county, and fixing a penalty for the failure to comply therewith; and imposing certain duties upon the following officers, to-wit: treasurer, collectors and county judge and fixing a penalty for the failure to comply therewith, and defining the powers and duties of the commissioners court; and fixing a penalty for non-compliance therewith, and providing that certain convicts may be worked upon the public roads, and prescribing the manner, conditions and credits to be allowed said convicts for each day's work, and defining what shall consist of a good day's work, and defining the duties of all persons liable to road duty, and fixing a penalty for failure to comply therewith. And further providing, that upon certain contingencies each road commissioner may appoint one deputy, and defining his powers, duties, qualifications and salary; and fixing a penalty for failure to comply therewith; and providing for the laying out, opening, working and grading of public roads in Knox county, and for the letting, building and repairing of all bridges in said county, etc.; and providing a penalty for all violations of this act, and declaring an emergency."

House Concurrent Resolution No. 20, Relating to parcels post recently initiated.

The House concurs in Senate amendments to House bill No. 5.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

HOUSE BILLS ON FIRST READING.

The Chair, Lieutenant Governor Mayes, referred, after their captions had been read, the following House bills:

House bill No. 590, referred to Committee on Roads, Bridges and Ferries.

House bill No. 695, referred to Committee on Roads, Bridges and Ferries.

House bill No. 689, referred to Committee on Roads, Bridges and Ferries.

House bill No. 749, referred to Committee on Roads, Bridges and Ferries.

House bill No. 647, referred to Committee on Roads, Bridges and Ferries.

House bill No. 566, referred to Committee on Roads, Bridges and Ferries.

House bill No. 572, referred to Committee on Educational Affairs.

House bill No. 627, referred to Committee on Roads, Bridges and Ferries.

House bill No. 800, referred to Committee on Roads, Bridges and Ferries.

House bill No. 794, referred to Committee on Educational Affairs.

House bill No. 731, referred to Committee on Roads, Bridges and Ferries.

House bill No. 766, referred to Committee on Educational Affairs.

House bill No. 771, referred to Committee on Roads, Bridges and Ferries.

House bill No. 778, referred to Committee on Educational Affairs.

House bill No. 806, referred to Committee on Educational Affairs.

House bill No. 654, referred to Committee on Educational Affairs.

House bill No. 346, referred to Judiciary Committee No. 1.

House bill No. 662, referred to Committee on Roads, Bridges and Ferries.

House Concurrent Resolution No. 20, referred to Committee on Federal Relations.

SENATE BILL NO. 405.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 405, A bill to be entitled "An Act to amend Article 2425 of Title 44, Chapter 1 of the Revised Civil Statutes of 1911, adopted by the Thirty-second Legislature providing that drainage and levee bonds issued under the provisions of law may be deposited with State depositories on equal dignity with United States, State, county, independent school district and municipal bonds as now provided in Title 44, Chapter 1; repealing all laws in conflict herewith, and declaring an emergency."

Senator Nugent offered the following amendment which was read and adopted:

Amend the caption, line 8, page 1, by inserting between the words "that" and "drainage" the word "irrigation" and a comma.

Further amend the bill, page 1, line 22, by inserting between the words "district" and "drainage," after the comma, the word "irrigation" and a comma, and line 24, page 1, by inserting between the words "county" and "drainage" after the comma, the word "irrigation" and a comma.

The bill was read second time and ordered engrossed.

RECESS.

On motion of Senator Astin, the Senate, at 12:45 o'clock p. m., recessed until 3 o'clock today.

AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by Lieutenant Governor Mayes.

SENATE BILL NO. 405.

Action recurred on the pending business, Senate bill No. 405.

Senator Nugent moved to reconsider the vote by which the bill had been ordered engrossed.

The motion prevailed.

Senator Nugent offered the following amendment, which was read and adopted:

Amend the bill, Section 3, line 3, page 2, by inserting between the words "of" and "drainage" the word "irrigation," and a comma.

The bill was read second time and was ordered engrossed.

SENATE BILL NO. 442.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 442, A bill to be entitled "An Act to authorize Hemphill county, Texas, to lay out, construct and maintain roads and bridges and exempting said county from the limitation contained in Article 613, Title 18, Chapter 1, Revised Civil Statutes of 1911, and declaring an emergency."

The committee report was read and amended so as to provide that the bill be not printed, which was adopted.

The bill was read second time and ordered engrossed.

SENATE BILL NO. 335.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 335, A bill to be entitled "An Act to amend Articles 1133, 1134 and 1138 of the Revised Code of Criminal Procedure of the State of Texas of 1911, defining the duties of the district judge and the Comptroller of Public Accounts in examining, auditing and approving all bids, claims and accounts against the State for fees and salaries in felony cases, in favor of witnesses, district, county and precinct officers; defining the duties of the district clerk, and providing a penalty for his failure to perform such duties, and declaring an emergency."

The bill was read, and Senators Lattimore and Townsend offered the following amendments, which were read and adopted, being acted on separately:

(1)

Amend bill, pages 3 and 6, lines 15 and 19, by inserting after the word "conclusive" in each place, the following: "except that the person claiming to own such claim or account may have the right by mandamus proceedings to have the correctness of such rejected part of such claim or account inquired into and if shown to be correct, to have proper orders made directing the payment of same."

(2)

Amend bill, page 5, by striking out lines 24 and 25 and all that part of line 23 after the word "cause."

Senator Nugent offered the following amendment, which was read and adopted:

Amend the bill, lines 1 and 2, page 5, by striking out all of line 1 after the comma, and by striking out the words "the witness" on line 2.

Senator Bailey offered the following amendment, which was read and adopted:

Amend by striking out the words "to examine" at the end of line 27, page 5, and the words "the same carefully and to inquire into," in line 28, page 5, and insert in lieu thereof the words "carefully to examine and inquire into."

Senator Watson offered the following amendment, which was read and adopted:

Amend the bill by adding at the end of amendment "one" by Senator Lattimore, the following: "Provided, however, suit may be filed in the county in which said account was approved and delivered by the district judge, and the district

court of said county shall have jurisdiction to hear and determine said suit." (Senator Collins in the chair.)

Senator Hudspeth offered the following amendment, which was read and adopted:

Amend the bill by adding at the end of line 24, page 3, the following: "Provided further, before the Comptroller shall disapprove any account as provided herein, he shall first submit same to the Attorney General and shall obtain from the Attorney General an opinion that said account is incorrect and should be rejected."

Senator Nugent offered the following amendment, which was read and adopted:

Amend the bill, page 4, lines 8 and 9, by striking out the word "dollars" and inserting in lieu thereof "dollar and fifty cents."

Senator Morrow offered the following amendment:

Amend the caption by striking out the word and 1138, and amend the bill by striking out of A. 1138, beginning on line 25, page 3, and including all to the beginning of line 28, page 6.

Pending.

On motion of Senator Lattimore, the bill was laid on the table subject to call.

CALL OF SENATE.

Senator Carter, at 4:05 o'clock p.m., moved that the Senate adjourn until 10 o'clock Monday morning.

The yeas and nays being called for, the motion to adjourn was lost by the following vote:

Yeas—10.

Astin.	Kauffman.
Carter.	Terrell.
Cowell.	Townsend.
Darwin.	Watson.
Hudspeth.	Wiley.

Nays—10.

Collins.	Murray.
Johnson.	Nugent.
Lattimore.	Paulus.
McNealus.	Vaughan.
Morrow.	Weinert.

Absent.

Bailey.	Willacy.
McGregor.	Absent—Excused.
Brelsford.	Conner.

Gibson.
Greer.
Real.

Taylor.
Warren.
Westbrook.

There being no quorum present, Senator Vaughan moved a call of the Senate for the purpose of securing and maintaining a quorum, which motion, being duly seconded, was so ordered.

The roll was called, the following Senators answering to their names:

Present—20.

Astin.	Morrow.
Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Cowell.	Terrell.
Hudspeth.	Townsend.
Johnson.	Vaughan.
Kauffman.	Watson.
Lattimore.	Weinert.
McNealus.	Wiley.

Absent—3.

Darwin.	Willacy.
McGregor.	

Absent—Excused—8.

Brelsford.	Real.
Conner.	Taylor.
Gibson.	Warren.
Greer.	Westbrook.

The Sergeant-at-Arms was instructed to bring in the absentees.

Pending a short delay, Senator Darwin was announced, which completed a quorum, the following Senators being present:

Present—21.

Astin.	Morrow.
Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Cowell.	Terrell.
Darwin.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Wiley.
McNealus.	

Absent—2.

McGregor.	Willacy.
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Absent—Excused—8.

Brelsford.	Real.
Conner.	Taylor.
Gibson.	Warren.
Greer.	Westbrook.

SENATE BILL NO. 405.

Senator Nugent here moved that Senate bill No. 405 be withdrawn from the engrossing room.

The motion prevailed.

Senator Nugent moved to reconsider the vote by which the bill was ordered engrossed.

The motion prevailed.

The Chair laid before the Senate, on second reading,

Senate bill No. 405 (see former proceedings of today for caption).

Senator Nugent offered the following amendment, which was read and adopted:

Amend the bill by adding a comma and the words "public road" after the word "irrigation" wherever it occurs in the bill and in the caption as amended.

The bill was read second time and was ordered engrossed.

On motion of Senator Nugent, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Astin.	Morrow.
Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Cowell.	Terrell.
Darwin.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Wiley.
McNealus.	

Absent.

McGregor. Willacy.

Absent—Excused.

Brelsford.	Real.
Conner.	Taylor.
Gibson.	Warren.
Greer.	Westbrook.

The bill was read third time and was passed by the following vote:

Yeas—21.

Astin.	Johnson.
Bailey.	Kauffman.
Carter.	Lattimore.
Collins.	McNealus.
Cowell.	Morrow.
Darwin.	Murray.
Hudspeth.	Nugent.

Paulus.
Terrell.
Townsend.
Vaughan.

Watson.
Weinert.
Wiley.

Absent.

McGregor.

Willacy.

Absent—Excused.

Brelsford.
Conner.
Gibson.
Greer.

Real.
Taylor.
Warren.
Westbrook.

Senator Nugent moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SECOND HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

House bill No. 13, A bill to be entitled "An Act authorizing cities having more than five thousand inhabitants, by a majority vote of the qualified voters of said city, at an election held for that purpose, to adopt or amend their charters, and prescribing the limitations and the methods by which said elections may be held, and declaring an emergency."

House Concurrent Resolution No. 21, Requesting the Governor to return House bill No. 583 for further consideration.

House concurs in Senate amendments to House bill No. 350.

House requests the Senate to return to the House House bill No. 386 for correction.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

HOUSE BILL ON FIRST READING.

The Chair, Senator Collins, referred, after its caption had been read, the following House bill:

House bill No. 13, referred to Committee on Towns and City Corporations.

HOUSE SIMPLE RESOLUTION—ADOPTION OF.

The Chair laid before the Senate a

House simple resolution requesting the Senate to return Senate bill No. 386 for correction.

The resolution was read and adopted.

HOUSE CONCURRENT RESOLUTION NO. 21.

The Chair laid before the Senate House Concurrent Resolution No. 21, requesting the Governor to return House bill No. 583 for correction.

The resolution was read and adopted.

SENATE BILL NO. 448.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

Senate bill No. 448, A bill to be entitled "An Act to amend Title 13, Chapter 6, of the Penal Code Revision of 1911, to amend Article 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, and declaring an emergency."

The bill was read second time and ordered engrossed.

On motion of Senator Wiley, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—21.

Astin.	Morrow.
Bailey.	Murray.
Carter.	Nugent.
Collins.	Paulus.
Cowell.	Terrell.
Darwin.	Townsend.
Hudspeth.	Vaughan.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Wiley.
McNealus.	

Absent.

McGregor. Willacy.

Absent—Excused.

Brelsford.	Real.
Conner.	Taylor.
Gibson.	Warren.
Greer.	Westbrook.

The bill was read third time and passed.

Senator Wiley moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

FREE CONFERENCE COMMITTEE ON SENATE BILL NO. 393.

Senator Morrow offered the following motion in writing:

I move that the House amendments to Senate bill No. 393 be not concurred in, and that the Senate request the appointment of a Free Conference Committee, and that the following Senators be elected on said committee on the part of the Senate: Hudspeth, Weinert, Carter, Bailey, Watson.

The above motion was read, and adopted.

Senator Morrow moved that the amendments to Senate bill No. 393 be not printed in the Journal.

The motion was adopted.

(Lieutenant Governor Mayes in the chair.)

Senator Vaughan asked unanimous consent to call up House bill No. 245, and there was objection.

Senator Vaughan moved that the pending order of business be suspended and the Senate take up out of its order, House bill No. 245, for the purpose of setting same.

Senator Watson moved, as a substitute, that the order of business be suspended, and the Senate take up, out of its order, a local road bill.

ADJOURNMENT.

Senator Terrell, at 5 o'clock p. m., moved that the Senate adjourn until 10 o'clock Monday morning.

The motion was adopted by the following vote:

Yeas—11.

Astin.	Murray.
Bailey.	Paulus.
Cowell.	Terrell.
Hudspeth.	Watson.
Kauffman.	Weinert.
Morrow.	

Nays—10.

Carter.	McNealus.
Collins.	Nugent.
Darwin.	Townsend.
Johnson.	Vaughan.
Lattimore.	Wiley.

Absent.

McGregor. Willacy.

Absent—Excused.

Brelsford.	Real.
Conner.	Taylor.
Gibson.	Warren.
Greer.	Westbrook.

APPENDIX.

BILLS SIGNED.

The Chair, Lieutenant Governor Mayes, gave notice of signing, and did sign, in the presence of the Senate, after their respective captions had been read, the following bills:

Senate bill No. 368, "An Act to amend Section 15a, Chapter 30, of the Special Laws of the Thirty-second Legislature, entitled 'An Act to amend Sections 7 and 8, Chapter 34, of the Special Laws of the Regular Session of the Thirtieth Legislature, entitled "An Act to create a more efficient road system for Washington county, Texas, and making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, etc.," and to add to said chapter Sections 15a and 15b, conferring upon the commissioners court of said county the authority to employ a person with a salary not to exceed \$100 per month, to work under the orders of said court for the purpose of carrying out the provisions of said chapter,' and declaring an emergency."

Senate bill No. 310, "An Act to amend Section 1, of Chapter 8, of the Special Laws of the First Called Session of the Thirty-second Legislature, entitled 'An Act creating the Lakeview Independent School District in Hall county, Texas, providing for a board of trustees in said independent school district and conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and board of trustees thereof, and declaring an emergency,' for the purpose of correcting and better defining the boundaries thereof, and declaring an emergency."

Senate bill No. 311, "An Act creating the Roaring Springs Independent School District, in Motley county, Texas, defining its boundaries, providing for the election of a board of trustees to manage and control the public free schools within said district, investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only, under the general laws, and declaring an emergency."

Senate bill No. 391, "An Act to incorporate the Seguin Independent School District in Guadalupe county, Texas, for free school purposes only, and describing the boundaries; divesting the city of Se-

guin of the control of its public schools and title to school property, and vesting the same in the said Seguin Independent School District and its board of school trustees; providing for a board of school trustees for the control and management of the said independent school district; prescribing the rights, powers, privileges and duties of the said Seguin Independent School District, and its board of trustees; providing for a treasurer of school funds of the district, and declaring an emergency."

Senate bill No. 244, "An Act to amend Section 2 of a special act entitled 'An Act to authorize and permit the territory situated within the bounds of the town of Floydada, in the county of Floyd and State of Texas, and other land and territory adjacent thereto, to incorporate as an independent school district for free school purposes only, to be known as the Floydada Independent School District, with all the powers, rights and duties of independent school districts formed by incorporation of towns and villages for free school purposes only,' enacted by the Twenty-ninth Legislature of the State of Texas, approved the 17th day of April, 1905, so as to include in the district thus formed additional territory, and declaring an emergency."

Senate bill No. 294, "An Act to incorporate the New Braunfels Independent School District in Comal county, Texas, for free school purposes only, and declaring an emergency."

Senate bill No. 332, "An Act to create the South Park Independent School District, known as Common School District No. 6, in Jefferson county, Texas; to provide for the election of trustees for the raising of revenue, issuing bonds, building and maintaining public free schools, declaring valid an issue of bonds heretofore made, and declaring an emergency, and repealing all laws in conflict herewith."

Senate bill No. 343, "An Act to amend Section 23, Chapter 46 of the Acts of 1901, passed by the Twenty-seventh Legislature and to amend Section 23 of Chapter 94 of the Acts of 1911, passed by the Thirty-second Legislature of the State of Texas, being an act entitled 'An Act to create a more efficient road system for Matagorda county,' and declaring an emergency."

Senate bill No. 6, "An Act granting to the Cuero Light & Power Company now owning and maintaining a dam across the Guadalupe river near Cuero, Texas, being a corporation duly incor-

porated under the laws of the State of Texas, having its domicile in the city of Cuero in DeWitt county, Texas, and having there established its principal offices and places of business, power, privilege and authority to maintain its dam already in existence and to erect, build, construct, maintain and operate two additional dams across the Guadalupe river in DeWitt county, Texas, one at any point on said river above what is known as Heard's bridge, a public highway of DeWitt county, Texas, across said river, and between said Heard's bridge and what is known as the Clinton bridge across said river in DeWitt county, Texas, also being a public highway bridge, and the other dam to be erected at some point within one mile below or above what is known as the Roehheim bridge across said Guadalupe river in DeWitt county, Texas, the same being a public highway bridge across said river, and in connection with each of said dams to erect reservoirs, lakes, locks, abutments, buildings and machinery; and to grant to said Cuero Light & Power Company the privileges and right to use all of the land and water and riparian rights, and all rights of every character of the State of Texas in, to and adjacent to said Guadalupe river between the points above mentioned and at the location of the dam now owned by them, including especially such rights in its bed, channel, banks, waters, falls, powers and current; granting to and conferring upon said corporation the power, authority and privilege to dam and overflow the water of said Guadalupe river and its tributaries at the points above mentioned and up said stream from said points of said dam as far as the back water or reservoirs of said dams would extend; and in any manner to deepen, lower, drain and excavate the channel, bed and banks of said Guadalupe river from said dams across said Guadalupe river as far back as any back water or reservoir will extend; and to back the water in said Guadalupe river and its tributaries up the said river above mentioned to any height, and declaring an emergency."

House bill No. 22, "An Act to amend Articles 4621, 4622 and 4624, Title 68, Chapter 3, of the Revised Statutes of Texas, 1911, concerning the marital rights of parties, defining separate and community property of the husband and wife, conferring upon the wife the power to make contracts, authorizing suits on such contracts, giving the wife control over her separate property, placing limitations upon such control, giving her

control over the rents from her separate real estate, interest on bonds and notes, and dividends on stock owned by her, and over her personal earnings, exempting the same from debts contracted by the husband, providing that the joinder of the husband shall be necessary to a conveyance or encumbrance of the wife's lands, bonds and stocks, except upon the order of the district court she may convey the same without the joinder of her husband, repealing Article 4625, Title 68, Chapter 3, of the Revised Statutes of Texas, 1911, and all other laws and parts of laws in conflict herewith, and declaring an emergency."

COMMITTEE REPORTS.

(Floor Reports.)

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 654, A bill to be entitled "An Act to amend Sections 2 and 6 of Chapter 36 of the local and special laws of the Regular Session of the Thirty-first Legislature of the State of Texas, entitled: 'An Act to validate the Wichita Falls Independent School District, in Wichita county, Texas, incorporated at an election held on the first day of August, 1908, and to validate the official acts of its trustees, and to extend its boundaries and to declare the said Wichita Falls Independent School District as herein defined, a body corporate, to provide for the election of trustees of said district and define their powers and duties and to authorize them to appoint other officers for said district and define their duties, and to provide for the levy and collection of taxes in said district for the support of the public free schools therein and for the issuance of bonds for the erection and equipment of school buildings therein, and to vest the title to all public free school property in said district in said trustees for the benefit of the public free schools, and for the collection of all unpaid school taxes on property in said district, and for the payment by said district of all outstanding debts and obligations chargeable against it, and to authorize the sale of school property unsuitable for school purposes and reinvestment of the proceeds, and to authorize the said trustees to have exclusive management, control and direction of the public free schools in said district, and declaring an emergency,' so as to increase the territory included

in said Wichita Falls Independent School District and make certain changes in the boundary thereof, and to provide that four of the seven trustees of said district elected in the month of April, 1913, shall hold their office thereafter, and that three of said members of said board of trustees elected in the month of April, 1913, shall hold their office for one year, and that their successors elected in the month of April, 1914, and thereafter every alternate year,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Johnson, Cowell, Astin, Wiley, Weinert.

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 407, A bill to be entitled "An Act creating an independent school district in the counties of Freestone and Navarro, State of Texas, to be known as the Streetman Independent School District, providing for the election of a board of trustees therefor; said district and trustees thereof to have all the rights, powers, duties and privileges granted and imposed under the General Laws of the State to incorporations for free school purposes only, and the trustees thereof, and especially those powers, duties and privileges and rights mentioned in Chapters 16 and 18, Title 48, of the Revised Civil Statutes of 1911, and of Chapter 100 of the General Laws of the Thirty-second Legislature and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Johnson, Cowell, Astin, Weinert, Wiley.

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 2, A bill to be entitled "An Act to amend Article 2894, of Chapter 18, Title 48, of the Revised Civil Statutes of 1911, relating to public education, so as to provide that any city or town having voted a tax, in addition to pro rata of the available school fund received from the State, may prescribe such

other studies as the board of school trustees may deem proper, and the board of school trustees of any independent or common school district shall admit all persons to the benefits of public schools who are over seven (7) or not over twenty-one (21) years of age at the beginning of the scholastic year,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Johnson, Cowell, Astin, Weinert, Wiley.

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

Senate bill No. 428, A bill to be entitled "An Act to provide for the maintenance of the Departments of Agriculture, Manual Training and Domestic Economy in the High School of Winnsboro Independent School District, located in Wood and Franklin counties, and making appropriation to carry out the provisions of this act,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Johnson, Cowell, Astin, Weinert, Wiley.

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 572, A bill to be entitled "An Act to re-define the boundaries of Strawn Independent School District, to validate the incorporation thereof, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Johnson, Cowell, Astin, Weinert, Wiley.

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Educational Affairs, to whom was referred

House bill No. 794, A bill to be entitled "An Act creating the Lockhart Independent School District, in Caldwell

county, Texas; defining its boundaries; providing for a board of trustees to manage and control the public free schools within said district; divesting the city of Lockhart of the control of its public free schools, and the title of all property now held and used for public school purposes, investing said district with the rights, powers, privileges and duties of a town or village incorporated for free school purposes only under the general laws, to provide for assessment and collection of taxes, granting power to issue coupon bonds, and providing sinking fund, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Paulus, Chairman; Johnson, Cowell, Astin, Weinert, Wiley.

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 459, A bill to be entitled "An Act to amend an act to create a more efficient road system for Gonzales county, Texas, and making the county commissioners ex-officio road commissioners, fixing their salaries and prescribing their duties and declaring an emergency, passed by the regular session of the Thirty-third Legislature and approved by the Governor March 5, A. D. 1913,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Morrow, Weinert, McNealus, Townsend.

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 722, A bill to be entitled "An Act to create a more efficient road system for Madison county, Texas, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Morrow, Townsend, McNealus.

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: We, your committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 400, A bill to be entitled "An Act creating a more efficient road system for Bastrop county, Texas,"

Have had the same under consideration and recommend that it do pass, but be not printed.

Terrell, Chairman; Weinert, Townsend, McNealus.

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 762, A bill to be entitled "An Act to create a special and more efficient road system for Collin county, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Morrow, Townsend, McNealus.

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 703, A bill to be entitled "An Act to render more effective and efficient the present road law of the State of Texas in its application and operation in the county of Refugio, and providing that the commissioner of each precinct in said Refugio county shall be road commissioner of his respective precinct, and providing that each commissioner shall receive compensation as road commissioner, for services actually performed as road commissioner, in such sum as may be fixed by the commissioners court of Refugio county, not to exceed \$90.00 per quarter, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Morrow, Townsend, McNealus.

Austin, Texas, March 15, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 698, A bill to be entitled "An Act to create a more efficient road system for Franklin county, Texas, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Morrow, McNealus.

Austin, Texas, March 15, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 697, A bill to be entitled "An Act amending Sections 15, 16 and 17, of the Acts of the Twenty-fourth Legislature, creating a special road law for DeWitt county, fixing the compensation and manner of payment of salaries of county judge and commissioners court, making this law cumulative of the general laws of the State, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass and be not printed.

Terrell, Chairman; Morrow, Townsend, McNealus.

Austin, Texas, March 15, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 711, A bill to be entitled "An Act to amend Section 6 of an act passed by the Twenty-seventh Legislature, as amended by the Twenty-eighth Legislature, as amended by the Thirtieth Legislature, as amended by the Thirty-first Legislature, as amended by the Thirty-second Legislature, creating a special road system for Coryell county, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Morrow, Townsend, McNealus.

Austin, Texas, March 15, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 746, A bill to be entitled "An Act to authorize and empower Bowie county or any portion of said county by a vote of a two-thirds majority of the resident property taxpayers, qualified voters of such county or portion thereof voting thereon, to issue bonds to any amount, not exceeding one-fourth of the assessed valuation of the real property of such county, and to levy and to collect taxes, to pay the interest on such bonds and to provide for a sinking fund for the redemption thereof, for the purpose of laying out, constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes and prescribing ways and means of conducting and supervising said work, and declaring an emergency,"

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Morrow, Townsend, McNealus.

Austin, Texas, March 15, 1913.
Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 725, A bill to be entitled "An Act to authorize, empower and permit Aransas county, upon a vote of two-thirds majority of the resident property taxpayers, voting thereon, who are qualified electors of said county to issue bonds or otherwise lend its credit in any amount, not to exceed one-fourth of the assessed valuation of the real property of said Aransas county and to levy and collect taxes to pay the interest on said bonds and to provide a sinking fund for the redemption thereof for the purpose of laying out, opening, constructing, maintaining a public road and highway or causeway across the waters of Aransas Bay between Lamar Peninsula and Live Oak Peninsula in said county so as to connect the public road system of said county on Live Oak Peninsula and declaring an emergency,"

Have had the same under considera-

tion, and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Morrow, Townsend, McNealus.

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 739, A bill to be entitled "An Act to authorize and empower Falls county, or any political subdivision of said county by a vote of two-thirds majority of the resident taxpayers, qualified voters of such county or political subdivision thereof, voting thereon to issue bonds to any amount, not exceeding one-fourth of the assessed valuation of the real property of such county, or of such political subdivision of such county and to levy and collect taxes to pay the interest of such bonds and to provide a sinking fund for the redemption thereof, for the purpose of constructing, maintaining and operating macadamized roads, graveled or paved roads and turnpikes, and prescribing ways and means of conducting said work, and requiring an emergency,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Morrow, Townsend, McNealus.

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

House bill No. 774, A bill to be entitled "An Act to amend Section 1 of Chapter 49 of the Acts of the Twenty-seventh Legislature, creating a more efficient road system for Fayette, Uvalde and Frio counties, as amended by the Thirty-third Legislature by House bill No. 188, which became a law February 25, 1913, so as to apply to Dimmit county,"

Have had the same under consideration and beg leave to report the same back to the Senate with the recommendation that it do pass, and be not printed.

Terrell, Chairman; Morrow, Townsend, McNealus.

Committee Room,

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 422, A bill to be entitled "An Act to amend an act entitled 'An Act to authorize and empower Robertson county, or any political subdivision of said county, by a vote of a two-thirds majority of the resident property taxpayers, qualified voters of such county or political subdivision thereof, voting thereon, to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county, or of such political subdivision of such county, and to levy, and collect taxes to pay the interest on such bonds, and to provide a sinking fund for the purpose of constructing, maintaining and operating macadamized, graveled or paved roads and turnpikes, and prescribing ways and means of conducting and supervising said work, and declaring an emergency,' passed at the First Called Session of the Thirty-second Legislature, and approved August 31, 1911, by adding thereto Sections 34, 35, 36 and 37, providing for the deposit and disbursement of funds arising under this act; providing regulations for traffic on roads to be constructed under the provisions of said act, while under course of construction, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 424, A bill to be entitled "An Act to reorganize the Fortieth Judicial District of the State of Texas and to amend Article 30, Title 5, Section 40, of the Revised Statutes of the State of Texas, adopted in the year 1911, and to amend Chapter 5, Title 39, of said Revised Statutes, and to provide that Rockwall county shall be taken from the Fortieth Judicial District of the State of Texas and transferred to the district known as the Dallas Criminal District, established by Chapter 5, Title

39, certified statutes, and to prescribe that both criminal and civil jurisdiction in the county of Rockwall, and to prescribe and fix the time of holding terms of court in the county of Kaufman and in the county of Ellis, and to make all process issued to serve before this act takes effect, including recognizances and bonds, returnable to the terms of court in the several counties and districts as herein fixed; to validate such process, recognizances and bonds, and to validate the summoning of grand and petit jurors, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 126, A bill to be entitled "An Act to require applications under oath to be made for witnesses in felony cases; to provide adequate penalties against district clerk or his deputy for unlawfully issuing subpoenas in felony cases; to define the duties of the district judge with reference to sheriff's accounts, and to provide for fees of witnesses residing in the county of the prosecution in felony cases, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 407, A bill to be entitled "An Act to incorporate the McGregor Independent School District in McLennan county, Texas, for free school purposes only, describing its boundaries, divesting the city of McGregor of the control of its public schools and title to school property, and vesting the same in the said McGregor Independent School District and its board of school trustees; providing for a board of school trustees for the control and management of the said independent school district; prescribing the rights and powers and privileges and duties of the said Mc-

Gregor Independent School District and its board of school trustees; providing for a treasurer of school funds of the district, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 314, A bill to be entitled "An Act to prohibit any retail dealer in spirituous, vinous or malt liquors or medicated bitters from locating or operating his place of business, and from selling any spirituous, vinous, or malt liquors or medicated bitters within two miles of any local option line or boundary of any territory in which local option is in force unless the same shall be within the corporate limits of an incorporated city or town; providing a penalty therefor, and declaring an emergency,"

And find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared Senate Concurrent Resolution No. 10 and find same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 125, A bill to be entitled "An Act to amend Sections 4, 5, 6, 11 and 12 of Chapter 26, acts of the Regular Session of the Thirty-second Legislature, being an act entitled 'An Act to provide for the establishment, organization and control of public high schools in the common school districts of Texas, making an appropriation for the teaching of agriculture, domestic economy and manual training in said high schools and in certain high schools already established, and declaring an emergency,' so as to define more definitely the manner and

method of electing the county school trustees, giving the length of term for which they shall serve; to define the duties of the county school trustees and the county superintendent in promoting the efficiency of the primary and the intermediate schools, in establishing high schools, in protecting the rights of all children of scholastic age, in providing transportation for children under certain conditions, in prescribing a course of study for public schools; to give the county school trustees authority to subdivide the county into school districts and to change district lines, to effect consolidation of school districts under certain conditions, defining the duties of the county superintendent and the county clerk with respect thereto, and authorizing the making of transfers; to fix the time of meeting and the pay of county school trustees; to provide for keeping a record of the terms of office of the county school trustees and defining their qualifications; and to define the duties of the State Superintendent of Public Instruction with respect to said act."

And find the same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 183, A bill to be entitled "An Act creating a State school of mines and metallurgy for the purpose of teaching the scientific knowledge of mining and metallurgy in the State of Texas, to the end that the mineral wealth, oil, etc., may be developed upon the State school lands of this State, and declaring an emergency,"

And find the same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate substitute bill No. 59, A bill to be entitled "An Act providing for the protection of the live stock industry of Texas against all contagious and infectious or communicable diseases, and pro-

viding for the moving of live stock contrary to the provisions as provided herein; to prescribe duties of the Live Stock Sanitary Commission, authorizing them to formulate rules and regulations for the protection of the live stock industry of this State against splenetic or tick fever and other contagious, infectious and communicable diseases of live stock, authorizing them to establish quarantines in counties for the purpose of accepting the provisions of this act; providing that the commissioners courts of the several counties in this State shall co-operate with said Live Stock Sanitary Commission; providing penalties for the violation of this act and all rules and regulations of the Live Stock Sanitary Commission; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.

TERRELL, Acting Chairman.

Committee Room,

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 343 and find it correctly enrolled, and have this day, at 12 o'clock, presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 368 and find it correctly enrolled, and have this day, at 12 o'clock, presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 310 and find it correctly enrolled, and have this day, at 12 o'clock, presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 311, and find it correctly enrolled, and have this day, at 12 o'clock, presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 391, and find it correctly enrolled, and have this day, at 12 o'clock, presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 244, and find it correctly enrolled, and have this day, at 12 o'clock, presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 294, and find it correctly enrolled, and have this day, at 12 o'clock, presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 14, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 98, and find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 332, and find it correctly enrolled, and have this day, at 12 o'clock, presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 14, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 233, and find it correctly enrolled, and have this day, at 10:30 a. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 360 and find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 95 and find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 14, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 159 and find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 14, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 54 and find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 14, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Enrolled Bills have carefully examined and compared Senate bill No. 7 and find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

DARWIN, Acting Chairman.

Committee Room,
Austin, Texas, March 14, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Public Lands and Land Office, to whom was referred

Senate bill No. 313, A bill to be entitled "An Act to prevent filing on as part of the public domain, surveying and issuing patents to land, and to provide a penalty for the violation thereof,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Amend the bill: Section 2 by changing the period at the end of the section to a comma, and add the following: "And thereafter report to the Commissioner of the General Land Office of the State, or any other lawful authority, any field notes of such re-survey or furnish to any person any certificate predicated thereon, without first having notified in writing for 90 days all parties claiming any part of the land covered by such survey, and not then without acting under a decree of a court of competent jurisdiction, provided the party or parties at interest so claiming said land shall have delivered to such surveyor his or their written notice of claim to such surveyed land or part thereof within ninety days after receipt

of such written notice from such surveyor."

MURRAY, Chairman.

Committee Room,
Austin, Texas, March 14, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Public Lands and Land Office, to whom was referred

House bill No. 143, A bill to be entitled "An Act to amend Section 1, of Chapter 94 of the Acts of the Regular Session of the Twenty-first Legislature, approved April 16, 1889, entitled 'An Act to validate certain surveys, which for any reason might be deemed invalid, and to authorize the Commissioner of the General Land Office to issue patents therefor;' said proposed amendment being to provide for the issuance of patents in cases, otherwise valid in all respects, where certified copies of certificates have been taken out and valid relocations made thereunder, as well as where such certificates have not been taken out, as is provided under the present law, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Amend the bill by adding to Section 1 the following: "Provided such relocation shall not be patented if made in conflict with any valid location or survey previously made."

MURRAY, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Insurance, Statistics and History, to whom was referred

Senate bill No. 458, A bill to be entitled "An Act providing for the formation and incorporation of rural credit unions or co-operative associations for the purpose of promoting thrift among their members, and to enable the members thereof, when in need, to obtain for productive purposes moderate loans of money for short periods and at reasonable rates of interest,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WATSON, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Insurance, Statistics and History, to whom was referred

House bill No. 28, A bill to be entitled "An Act to amend Article 4893, Title 71, Chapter 9 of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-second Legislature, 1911, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WATSON, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred Senate bill No. 107, have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 444, A bill to be entitled "An Act to require owners or lessees of enclosed lands to give outlets by lanes or gates to owners or occupants of contiguous lands to public roads, stores, gins and other public places, repealing all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 389, A bill to be entitled "An Act to authorize stockyards receiving or unloading livestock, or in shipping livestock, to issue certificates

to the owner thereof, or persons in charge, and weighers of livestock connected with such yards, to issue such certificates of weight; and to authorize commission men buying and selling livestock to issue their accounts of purchase, or accounts of sale, to be used in evidence in any of the courts of the State of Texas,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 160, A bill to be entitled "An Act fixing the salary of the county attorney of Dallas county, creating the office of county detective and fixing the salary thereof, describing his duties; giving the county attorney of Dallas county power to appoint two county detectives and a stenographer and fixing the salary and manner of payment thereof; giving the commissioners court of Dallas county authority to make an allowance from the county funds to be placed at the disposal of the county attorney's office in securing evidence in criminal cases to be used in bringing offenders to justice; and repealing all laws or parts of laws in conflict with this act, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A majority of your Judiciary Committee No. 1, to whom was referred

House bill No. 238, A bill to be entitled "An Act to prescribe the rule of evidence in all cases of forgery, passing a forged instrument, or attempting to pass a forged instrument, arising after taking effect thereof; providing that in all cases of forgery, passing forged instruments or attempting to pass forged instruments that the State shall prove said instrument substantially as alleged in the indictment, and relieving the State of the necessity of proving said instrument literally and exactly as al-

leged, but that proof of same substantially shall be sufficient and that failure to prove same literally and exactly shall not constitute a variance."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A minority of your Judiciary Committee No. 1, to whom was referred House bill No. 238, have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

CARTER,
PAULUS.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 23, A bill to be entitled "An Act to amend the Revised Penal Code of the State of Texas of 1911, being Chapter 8, Title 11, by adding thereto Article 622a, making it a misdemeanor for any minor to enter or remain in any saloon or place where intoxicating liquors are sold or to purchase any intoxicating liquors, and fixing the punishment therefor, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A majority of your Judiciary Committee No. 1, to whom was referred

House bill No. 168, A bill to be entitled "An Act to regulate assignments, mortgages, powers of attorney to collect, and other transfers of salary and wages; prescribing the requisites of a valid assignment, mortgage, power of attorney to collect, or other transfer of salary or wages; providing that every assignment, mortgage, power of attorney to

collect, or other transfer of salary or wages not strictly in compliance with such requisites in case of assignments, mortgages, powers of attorney to collect or other transfers of the salary or wages of married men; defining the word 'void' when used therein; declaring that no statements or conduct shall, in case of married men, operate to estop them from denying on the ground of their coverture the validity of any assignment, mortgage, power of attorney to collect or other transfer of salary or wages not in compliance therewith; limiting the time during which assignment, mortgage, power of attorney to collect or other transfer of future salary or wages may be made to operate; prescribing a period of limitation to suits based on assignments, mortgages, powers of attorney to collect or other transfers of salary or wages which it shall not be necessary to plead specially as a defense; declaring that should any section be declared invalid the others shall not be affected thereby; declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

CARTER, Acting Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: A minority of your Judiciary Committee No. 1, to whom was referred House bill No. 168, have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

LATTIMORE,
MORROW.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 169, A bill to be entitled "An Act abolishing what is known as the Rule in Shelly's Case and making a rule of evidence in certain cases so that the words 'heirs' or 'heirs of the body' shall be construed as words of purchase and not as words of limitation, and declaring an emergency."

Have had the same under considera-

tion, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 20, A bill to be entitled "An Act providing for the payment of salaries to county attorneys in certain counties in lieu of fees, authorizing commissioners courts to fix said salaries, providing for disposition of fees heretofore paid county attorneys, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 373, A bill to be entitled "An Act to amend Articles 5174, 5175 and 5180, Chapter 8, Title 75, of the Revised Statutes, 1911, of the State of Texas,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 230, A bill to be entitled "An Act to amend Article 1827, Article 1828, Article 1829 and Article 1902 of the Revised Statutes of the State of Texas of 1911, relating to the manner of pleading in district and county courts of the State of Texas, and adding Articles 1829a and Article 1829b providing for the verification of pleadings,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass, with amendments.

Amend House bill No. 230 by striking

out Section 7 and in lieu thereof Section 7 to read as follows:

"This act shall take effect and be in force from and after September 1, 1913."

MORROW, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 16, A bill to be entitled "An Act to amend Chapter 6, Title 64, of the Revised Civil Statutes of the State of Texas of 1911, by adding Article 4091a authorizing the county judge in certain cases to appoint temporary guardians for minors and persons of unsound mind,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

Senate bill No. 143, A bill to be entitled "An Act to amend Section 608, Chapter 4, Title 7, of the Code of Criminal Procedure relating to application for a continuance by defendants and to repeal Article 609, Chapter 4, Title 7, Code of Criminal Procedure relating to subsequent application by defendant for a continuance,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

MORROW, Chairman.

Committee Room,
Austin, Texas, March 14, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Public Lands and Land Office, to whom was referred

Senate Concurrent Resolution No. 13, validating certain land titles,

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass.

MURRAY, Chairman.

On motion of Senator Hudspeth the report was ordered not printed.

Committee Room,

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 1, to whom was referred

House bill No. 668, A bill to be entitled "An Act to create a special game law for Smith county, Texas, prohibiting the killing of wild duck, quail and squirrels under certain limitations; providing penalties for violating the provisions of this act, fixing the time when this act shall take effect, and repealing all laws and parts of laws in conflict herewith,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

VAUGHAN, Acting Chairman.

Committee Room,

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred,

House bill No. 667, A bill to be entitled "An Act to create a special fish law for Smith county, Texas, exempting said county from certain provisions of the general fish and game laws of Texas; repealing all laws and parts of laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

VAUGHAN, Acting Chairman.

Committee Room,

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

Senate bill No. 92, A bill to be entitled "An Act to amend Section 2 of Chapter 42 of the General Laws of the Thirtieth Legislature, relating to exemptions as affecting employees and ex-employees of common carriers, express, railway, telegraph, news and other companies, persons and corporations, performing service for or in connection with the operation of the railways by the State Railroad Commissioners; peace officers and representatives of industrial fairs and farmers' congresses and institutes and farmers' unions; deputy sheriffs,

United States marshals and not more than two deputies of each such marshal; chiefs of police and city marshals; eleemosynary and religious societies; volunteer firemen and Confederate veterans, the State Game, Fish and Oyster Commissioner and his two deputies; State and county health officers; government representatives accompanying fish for free distribution in the streams of the State; the Dairy and Food Commission and two chief deputies; and providing for right of contract between railway companies and editors, proprietors or publishers of newspapers and magazines; persons who have been instrumental in securing the passage by the United States Congress of statutes providing for the equipment of railroad trains with safety appliances; constables; members of the State militia in uniform when called into service; and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass, for the reason that same subject matter is covered in bill heretofore passed.

KAUFFMAN, Chairman.

Committee Room,

Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

House bill No. 113, A bill to be entitled "An Act to authorize the St. Louis Southwestern Railway Company of Texas to purchase, own and operate as a part of its line the railroad of the Eastern Texas Railroad Company, together with all the franchises and property incident or appertaining thereto; and to authorize the Eastern Texas Railroad Company to sell its railroad, together with all franchises and property incident or appertaining thereto, to the said St. Louis Southwestern Railway Company of Texas, and to authorize the latter company after such purchase of said railroad, to operate the same under its charter as part of its own line, and to extend the lines of road so purchased and to construct branches thereof by amendment to its charter under the general laws of the State of Texas; and until such purchase is made, to authorize the St. Louis Southwestern Railway Company of Texas to purchase and own the capital stock of the Eastern Texas Railroad Company, and to

regulate the reports and operations of said railroad and property after the purchase thereof; and to authorize each of said railway companies to execute all necessary contracts, agreements and conveyances to accomplish said purchase and sale, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with amendment:

"Provided, that the provisions of this act shall not have any binding force and effect until after the Eastern Texas Railroad Company shall have extended its line of railroad from Kennard to Crockett, in Houston county, Texas, as called for by its charter; and in the event that said railroad company shall fail, refuse or neglect to so extend said railroad within a period of twelve months from and after the taking effect of this act, then such attempted consolidation under the provisions of this bill shall be null and void."

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

House bill No. 228, A bill to be entitled "An Act to amend Chapter 83 of the General Laws of the Thirty-second Legislature, the same being an act to amend an act entitled 'An Act to amend Section 2, Chapter 42 of the General Laws of the Thirtieth Legislature, relating to exemptions as affecting employes and employes of common carriers, express, railway, telegraph, news and other companies, persons and corporations, performing service for or in connection with the operation of the railways; the State Railroad Commissioners; peace officers and representatives of industrial fairs and farmers' congresses and institutes and farmers' unions; deputy sheriffs, United States marshals and not more than two deputies of each such marshal; chiefs of police and city marshals, eleemosynary and religious societies, volunteer firemen and Confederate veterans; the State Game, Fish and Oyster Commission and the two chief deputies, State and county health officers; government representatives accompanying fish for free distribution in the streams of the State; the dairy and food commissioner and his two deputies; and providing for right of

contract between railway companies and editors, proprietors or publishers of newspapers and magazines, persons who have been instrumental in securing the passage by the United States Congress of statutes providing for the equipment of railway trains with safety appliances; constables; members of the State militia in uniform when called into service by accepting from the provisions of the law the actual bona fide agents not exceeding five on any one line, of any accident, casualty or health insurance company, doing business under the laws of this State, that have, or that may hereafter, make franchise contracts with any railway company or receiver thereof to insure their employes so long as such franchise contract may be in force,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do pass and be not printed.

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred

House bill No. 398, A bill to be entitled "An Act to authorize the Texas & New Orleans Railroad Company to purchase, own and operate the railroad of the Burr's Ferry, Browndel & Chester Railway Company, with the franchises and other properties thereunto appertaining; and to authorize the said Burr's Ferry, Browndel & Chester Railway Company to sell the same; and to authorize the Texas & New Orleans Railroad Company to issue additional mortgage bonds to the amount of the value of the railroad, franchise and appurtenances so purchased as fixed or as the same may be fixed by the Railroad Commission of Texas, and to regulate the reports of the operation of such property,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, March 15, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements, to whom was referred, Senate bill No. 46, A bill to be entitled

"An Act to regulate the issuance and sale of railroad securities, and providing the circumstances and manner according to which such securities may be issued and sold, and how the proceeds thereof shall be appropriated; providing penalties for the violation of this act; providing that rates of railroads shall not be controlled by the amount of their securities, but shall be based on the value of their property, and repealing all laws and parts of laws in conflict herewith,"

Have had the same under consideration and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

KAUFFMAN, Chairman.

Committee Room,
Austin, Texas, March 5, 1913.

Hon. Will H. Mayes, President of the Senate.

Sir: Your Committee on Internal Improvements have had under consideration,

Senate bill No. 322, A bill to be entitled "An Act to prohibit corporations created for the purpose of constructing and maintaining magnetic telegraph and telephone lines to set their poles, piers and abutments in public streets,"

And beg to report the same with the recommendation that it do not pass, but that in lieu thereof the following substitute therefor shall pass:

"An Act to authorize corporations owning, or created for the purpose of owning, constructing and maintaining magnetic telegraph and telephone lines, or either, to construct, set, string and maintain their poles, wires, piers, abutments, underground lines and other fixtures, upon, along, across, over and under any of the public roads, streets, alleys, grounds and waters of this State, and prescribing the terms and conditions upon which same shall be constructed and maintained, and to amend Article 1231 of the Revised Statutes of the State of Texas for the year 1911, and declaring an emergency."

Be it Enacted by the Legislature of the State of Texas:

That Article 1231 of the Revised Statutes of the State of Texas be, and the same is hereby amended to read as follows:

Corporations created for the purpose of owning or constructing and maintaining magnetic telegraph and telephone lines or either, are authorized to set their poles, piers, abutments, wires and other fixtures along, upon, across and

under any of the public roads, streets, alleys and waters of the State in such manner as not to incommode the public in the use of the same, and under such regulations as may be made by the governing bodies of the city, town and county wherein said poles, piers, abutments, wires or fixtures are placed, provided that before placing same the said corporation shall make reasonable application for the privilege of so doing and reasonable request of such governing body to prescribe such regulations, and said governing body shall prescribe reasonable regulations therefor, but said regulations shall not be prohibitive, and provided that this act shall not be construed as a franchise for the establishment of local systems by such companies.

KAUFFMAN, Chairman.

PETITIONS AND MEMORIALS.

By Senator Lattimore:

Petition signed numerous by citizens of Maypearl, Texas, requesting the Legislature to pass the Lattimore Sunday amusement bill.

By Senator Lattimore:

Petition numerous signed asking assistance to the farmers in passing the Santa Fe merger bill.

By Senator McNealus:

The following petition in full signed numerous by citizens and members of the Trinity River Levee and Drainage Clubs:

To the Honorable Thirty-third Legislature of the State of Texas:

We, the undersigned citizens and members of the "Trinity River Levee and Drainage Club" respectfully petition your honorable body to provide proper means for realizing the object for which the State Levee and Drainage Board was created, viz: To protect the low lands from being inundated and redeem them—the most fertile of the world—thus making them a source of wealth to the State, when properly cultivated as well as forever banishing the insanitary, health-endangering condition.

This object, in our minds, could be best attained by the setting aside of a certain percentage of the State's revenues in the shape of a loan to the various districts, such monies to be at the disposal of these districts under supervision of said State board and repayment to be made by a general tax on

the lands adjacent. Should, however, no funds be available by the State, an issue of bonds, which the State could easily dispose of, even at the low rate of 4 per cent or, perhaps, less might be had.

The wet year of 1908 has shown the necessity of protecting the low lands, while the following three dry years have demonstrated the need of irrigation. Both these objects can be attained by proper efforts, first in building levees and second in using the excavations in constructing reservoirs, in which to store the surplus water, to be used for irrigating purposes when properly constructed. While all work should be under the direction of the State Board, the details thereof should be planned and construction work under the supervision of the respective county engineers of the various districts.

The levees should be so constructed as to serve for highways; and, as the public sentiment is largely in favor of abrogating the lease system of the State convicts, such labor should be performed by them, under proper safeguards to the citizenship; in fact, all public work should be done by convicts, thus cutting out competition with free labor, both in and outside the penitentiary.

By Senator Weinert:

Letter numerously signed asking favorable action on Senate bills Nos. 435, 438 and 439.

FORTY-SEVENTH DAY.

Senate Chamber,
Austin, Texas,
Monday, March 17, 1913.

The Senate met pursuant to adjournment and was called to order by Lieutenant Governor Will H. Mayes.

Roll call, a quorum was present, the following Senators answering to their names:

Astin.	Murray.
Bailey.	Nugent.
Brelsford.	Paulus.
Carter.	Real.
Collins.	Taylor.
Conner.	Terrell.
Cowell.	Townsend.
Darwin.	Vaughan.
Hudspeth.	Warren.
Johnson.	Watson.
Kauffman.	Weinert.
Lattimore.	Westbrook.
McGregor.	Wiley.
McNealus.	Willacy.

64—S

Absent.

Gibson.

Morrow.

Absent—Excused.

Greer.

Prayer by the Chaplain, Rev. H. M. Sears.

Pending the reading of the Journal of Saturday, the same was dispensed with on motion of Senator Terrell.

(See Appendix for petitions and memorials and standing committee reports.)

BILLS AND RESOLUTIONS.

By Senator Cowell:

Senate bill No. 462, A bill to be entitled "An Act to amend Sections 4 and 5 of Article 4, of Chapter 33, Laws of the Thirtieth Legislature, entitled 'An Act granting to Denison, Grayson county, Texas, a new charter of incorporation, repealing all laws and parts of laws in conflict herewith,' so as to provide for the issuance of bonds not to run for a period longer than forty years and not to exceed 10 per cent of the assessed value of all taxable property, real, personal and mixed in the city of Denison, Texas, and declaring an emergency."

Read first time and referred to Committee on Towns and City Corporations.

By Senator Hudspeth:

Senate bill No. 463, A bill to be entitled "An Act to provide for the regulation and supervision of life insurance agents lapsing and twisting life insurance policies in the State of Texas."

Read first time and referred to Committee on Insurance, Statistics and History.

SIMPLE RESOLUTION.

By Senator Westbrook:

Resolved, That Judiciary Committee No. 2, be requested to report on Senate bill No. 193.

Signed—Westbrook, Taylor, Collins, Darwin, McNealus, Warren, Townsend, Cowell, Nugent, Wiley.

The resolution was read and adopted.

ADDITION TO STANDING COMMITTEE.

By Senator Watson:

I move that the Senator from El